



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0492/3

RAC:kjfrs

RMR

DOA:.....Boggs, BB0204 - Compensation Plan and UW System and
UW-Madison employees

FOR 2013-2015 BUDGET -- NOT READY FOR INTRODUCTION

Don't Gen

pwf ✓

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

Current law requires that the Board of Regents of the UW System and the chancellor of UW-Madison submit compensation plans for UW employees to the director of the Office of State Employment Relations (OSER), who, after receiving the plans, makes recommendations for UW employee compensation to the Joint Committee on Employment Relations (JCOER) for approval. This bill requires the Board of Regents and the chancellor of UW-Madison to establish compensation plans for UW employees and does not require submission of the plans to the director of OSER for approval by JCOER.

Current law, with exceptions, prohibits the Board of Regents of the UW System from increasing employee salaries unless the salary increase conforms to the UW employee compensation plan approved by the Joint Committee on Employment Relations. This bill eliminates this restriction on salary increases for UW employees.

In addition, the bill eliminates all funding for the Board of Regents of the UW System from the compensation reserve, a pool of moneys used to fund salary adjustments for UW System employees. Instead, salary adjustments will be funded from moneys directly appropriated to the Board of Regents of the UW System.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 16.505 (4) (b) of the statutes is amended to read:

2 16.505 (4) (b) ~~Except as provided in par. (c), no~~ No agency may change the
3 funding source for a position authorized under this section unless the position is
4 authorized to be created under a different funding source in accordance with this
5 section.

6 **SECTION 2.** 16.505 (4) (c) of the statutes is repealed.

7 **SECTION 3.** 20.865 (intro.) of the statutes is amended to read:

8 **20.865 Program supplements.** (intro.) There is appropriated to the various
9 state agencies from the respective funds and accounts from which their
10 appropriations are financed, the amounts provided in this section as approved by the
11 department of administration under ss. 16.50 and 20.928, but only after the amounts
12 included in the respective program appropriations for the purposes specified in this
13 section have been exhausted. Every expenditure under this section for purposes
14 normally financed by a program revenue appropriation or segregated revenue
15 appropriation from program receipts shall be charged to the appropriate account, but
16 if there are insufficient moneys available in that account, the expenditure shall be
17 charged to the fund from which the appropriation is made. Those general fund
18 expenditures paid from general purpose revenues for purposes financed by program
19 revenues shall be separately accounted for and the general fund, except as otherwise
20 provided in sub. (2) (d), (j) and (t) ~~and s. 36.52~~, shall be reimbursed for those
21 expenditures as soon as moneys become available in the appropriate account.

1 **SECTION 4.** 20.865 (1) (c) of the statutes, as affected by 2011 Wisconsin Act 32,
2 is amended to read:

3 20.865 (1) (c) *Compensation and related adjustments.* A sum sufficient to
4 supplement the appropriations to state agencies for the cost of compensation and
5 related adjustments approved by the legislature under s. 111.92 for represented
6 employees and by the joint committee on employment relations under s. 230.12 and
7 by the legislature, when required, for nonrepresented employees in the classified
8 service and comparable adjustments for nonrepresented employees in the
9 unclassified service, except those nonrepresented employees specified in ss. 20.923
10 (6) (c) and 230.08 (2) (f), as determined under s. 20.928, ~~other than adjustments~~
11 ~~funded under par. (ej).~~ Unclassified employees included under s. 20.923 (2) need not
12 be paid comparable adjustments.

13 **SECTION 5.** 20.865 (1) (ci) of the statutes, as affected by 2011 Wisconsin Act 32,
14 is repealed.

note: bud
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15 **SECTION 6.** 20.865 (1) (cj) of the statutes is repealed.

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16 **SECTION 7.** 20.865 (1) (i) of the statutes, as affected by 2011 Wisconsin Act 32,
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18 20.865 (1) (i) *Compensation and related adjustments; program revenues.* From
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SECTION 8. 20.865 (1) (ic) of the statutes, as affected by 2011 Wisconsin Act 32,
is repealed.

SECTION 9. 20.865 (1) (si) of the statutes, as affected by 2011 Wisconsin Act 32,

is repealed.

SECTION 10. 20.928 (1) of the statutes is amended to read:

20.928 (1) Each state agency head shall certify to the department of
administration, at such time and in such manner as the secretary of administration
prescribes, the sum of money needed by the state agency from the appropriations
under s. 20.865 (1) (c), ~~(ei), (ej)~~, (d), (i), ~~(ie)~~, (j), (s), ~~(si)~~, and (t). Upon receipt of the
certifications together with such additional information as the secretary of
administration prescribes, the secretary shall determine the amounts required from
the respective appropriations to supplement state agency budgets.

SECTION 11. 20.928 (1m) of the statutes is repealed.

SECTION 12. 20.928 (4) of the statutes is repealed.

SECTION 13. 36.09 (1) (e) of the statutes, as affected by 2011 Wisconsin Act 32,
is amended to read:

36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
each institution; a dean for each college campus; the state geologist; the director of
the laboratory of hygiene; the director of the psychiatric institute; the state
cartographer; and the requisite number of officers, other than the vice presidents,
associate vice presidents, and assistant vice presidents of the system; faculty;
academic staff; and other employees and fix the salaries, subject to the limitations

1 under par. (j) and s. ~~230.12 (3) (e)~~ 36.115, the duties and the term of office for each.
2 The board shall fix the salaries, subject to the limitations under par. (j) and s. ~~230.12~~
3 ~~(3) (e)~~ 36.115, and the duties for each chancellor, vice president, associate vice
4 president, and assistant vice president of the system. No sectarian or partisan tests
5 or any tests based upon race, religion, national origin, or sex shall ever be allowed
6 or exercised in the appointment of the employees of the system.

7 **SECTION 14.** 36.09 (1) (j) of the statutes is amended to read:

8 36.09 (1) (j) Except where such matters are a subject of bargaining with a
9 certified representative of a collective bargaining unit under s. 111.91, the board
10 shall establish salaries for persons prior to July 1 of each year for the next fiscal year,
11 and shall designate the effective dates for payment of the new salaries. In the first
12 year of the biennium, payments of the salaries established for the preceding year
13 shall be continued until the biennial budget bill is enacted. If the budget is enacted
14 after July 1, payments shall be made following enactment of the budget to satisfy the
15 obligations incurred on the effective dates, as designated by the board, for the new
16 salaries, subject only to the appropriation of funds by the legislature and s. 20.928
17 (3). This paragraph does not limit the authority of the board to establish salaries for
18 new appointments. ~~The board may not increase the salaries of employees under this~~
19 ~~paragraph unless the salary increase conforms to the proposal as approved under s.~~
20 ~~230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities~~
21 ~~under par. (h), to fund job reclassifications or promotions, or to recognize competitive~~
22 ~~factors. The granting of salary increases to recognize competitive factors does not~~
23 ~~obligate inclusion of the annualized amount of the increases in the appropriations~~
24 ~~under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each~~
25 ~~year, the board shall report to the joint committee on finance and the secretary of~~

1 ~~administration and director of the office of state employment relations concerning~~
2 ~~the amounts of any salary increases granted to recognize competitive factors, and the~~
3 ~~institutions at which they are granted, for the 12-month period ending on the~~
4 ~~preceding June 30.~~

5 SECTION 15. 36.115 (title) of the statutes is amended to read:

6 **36.115 (title) Personnel systems; compensation.**

7 SECTION 16. 36.115 (7) of the statutes is created to read:

8 36.115 (7) (a) The board shall establish compensation plans for all system
9 employees except system employees assigned to the University of
10 Wisconsin-Madison.

11 (b) The chancellor shall establish compensation plans for all system employees
12 assigned to the University of Wisconsin-Madison.

13 SECTION 17. 36.52 of the statutes, as affected by 2011 Wisconsin Act 32, is
14 repealed.

15 SECTION 18. 230.12 (3) (e) (title) of the statutes, as affected by 2011 Wisconsin
16 Act 32, is amended to read:

17 230.12 (3) (e) (title) ~~University of Wisconsin System senior executives, faculty,~~
18 ~~and academic staff employees; Wisconsin Technical College System senior executives.~~

19 SECTION 19. 230.12 (3) (e) 1. of the statutes, as affected by 2011 Wisconsin Act
20 32, is repealed.

21 SECTION 20. 230.12 (3) (e) 2. of the statutes is renumbered 230.12 (3) (e).

22 (END)

Insert 6-15

6-15
2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-0492/4ins
RAC:kjf:rs

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SECTION 1. 230.03 (8m) of the statutes is created to read:

230.03 (8m) "Continuous service" means service performed while employed by a state agency or by the Board of Regents of the University of Wisconsin System.



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3 **SECTION 20.** 230.12 (3) (e) 1. of the statutes, as affected by 2011 Wisconsin Act
4 32, is repealed.

5 **SECTION 21.** 230.12 (3) (e) 2. of the statutes is renumbered 230.12 (3) (e).

6

(END)

Insert 7-6

**2013-2014 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0492/5ins
RAC:kjf:ph

Insert Analysis:

Finally, the bill authorizes the transfer of any employee from the Board of Regents of the UW System to any state agency. A transferred employee retains his or her accrued sick leave, ^{and} ~~as well as~~ may count any service for the Board of Regents of the UW System as state service.

Insert 7-6:

~~SECTION 1.~~ 230.29 of the statutes is renumbered 230.29 (1).

~~SECTION 2.~~ 230.29 (2) of the statutes is created to read:

230.29 (2) An individual who is employed by the Board of Regents of the University of Wisconsin System may transfer to a position in any agency if specifically authorized by the administrator. An individual who transfers to an agency shall have his or her sick leave accrued with the agency computed by treating the individual's unused balance of sick leave accrued with the Board of Regents of the University of Wisconsin System as sick leave accrued with the agency.



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13 or any tests based upon race, religion, national origin, or sex shall ever be allowed
14 or exercised in the appointment of the employees of the system.

15 **SECTION 14.** 36.09 (1) (j) of the statutes is amended to read:

16 36.09 (1) (j) Except where such matters are a subject of bargaining with a
17 certified representative of a collective bargaining unit under s. 111.91, the board
18 shall establish salaries for persons prior to July 1 of each year for the next fiscal year,
19 and shall designate the effective dates for payment of the new salaries. In the first
20 year of the biennium, payments of the salaries established for the preceding year
21 shall be continued until the biennial budget bill is enacted. If the budget is enacted
22 after July 1, payments shall be made following enactment of the budget to satisfy the
23 obligations incurred on the effective dates, as designated by the board, for the new
24 salaries, subject only to the appropriation of funds by the legislature and s. 20.928
25 (3). This paragraph does not limit the authority of the board to establish salaries for

1 new appointments. The board may not increase the salaries of employees under this
2 paragraph unless the salary increase conforms to the proposal as approved under s.
3 230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities
4 under par. (h), to fund job reclassifications or promotions, or to recognize competitive
5 factors. The granting of salary increases to recognize competitive factors does not
6 obligate inclusion of the annualized amount of the increases in the appropriations
7 under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each
8 year, the board shall report to the joint committee on finance and the secretary of
9 administration and director of the office of state employment relations concerning
10 the amounts of any salary increases granted to recognize competitive factors, and the
11 institutions at which they are granted, for the 12-month period ending on the
12 preceding June 30.

13 SECTION 15. 36.115 (title) of the statutes is amended to read:

14 **36.115 (title) Personnel systems; compensation.**

15 SECTION 16. 36.115 (7) of the statutes is created to read:

16 36.115 (7) (a) The board shall establish compensation plans for all system
17 employees except system employees assigned to the University of
18 Wisconsin–Madison.

19 (b) The chancellor shall establish compensation plans for all system employees
20 assigned to the University of Wisconsin–Madison.

21 SECTION 17. 36.52 of the statutes, as affected by 2011 Wisconsin Act 32, is
22 repealed.

23 SECTION 18. 230.03 (8m) of the statutes is created to read:

24 230.03 (8m) “Continuous service” means service performed while employed by
25 a state agency or by the Board of Regents of the University of Wisconsin System.

SECTION 19. 230.12 (3) (e) (title) of the statutes, as affected by 2011 Wisconsin Act 32, is amended to read:

230.12 (3) (e) (title) ~~University of Wisconsin System senior executives, faculty,~~
~~and academic staff employees; Wisconsin Technical College System senior executives.~~

SECTION 20. 230.12 (3) (e) 1. of the statutes, as affected by 2011 Wisconsin Act 32, is repealed.

SECTION 21. 230.12 (3) (e) 2. of the statutes is renumbered 230.12 (3) (e).

SECTION 22. 230.29 of the statutes is renumbered 230.29 (1).

SECTION 23. 230.29 (2) of the statutes is created to read:

230.29 (2) An individual who is employed by the Board of Regents of the University of Wisconsin System may transfer to a position in any agency if specifically authorized by the administrator. An individual who transfers to an agency shall have his or her sick leave accrued with the agency computed by treating the individual's unused balance of sick leave accrued with the Board of Regents of the University of Wisconsin System as sick leave accrued with the agency.

(END)



State of Wisconsin
2013 - 2014 LEGISLATURE



LRB-0492/6
RAC:kjf&wlj:rs

DOA:.....Boggs, BB0204 - Compensation Plan and UW System and
UW-Madison employees

FOR 2013-2015 BUDGET — NOT READY FOR INTRODUCTION

1 **AN ACT ...; relating to:** the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

HIGHER EDUCATION

Current law requires that the Board of Regents of the UW System and the chancellor of UW-Madison submit compensation plans for UW employees to the director of the Office of State Employment Relations (OSER), who, after receiving the plans, makes recommendations for UW employee compensation to the Joint Committee on Employment Relations (JCOER) for approval. This bill requires the Board of Regents and the chancellor of UW-Madison to establish compensation plans for UW employees and does not require submission of the plans to the director of OSER for approval by JCOER.

Current law, with exceptions, prohibits the Board of Regents of the UW System from increasing employee salaries unless the salary increase conforms to the UW employee compensation plan approved by the Joint Committee on Employment Relations. This bill eliminates this restriction on salary increases for UW employees.

In addition, the bill eliminates all funding for the Board of Regents of the UW System from the compensation reserve, a pool of moneys used to fund salary adjustments for UW System employees. Instead, salary adjustments will be funded from moneys directly appropriated to the Board of Regents of the UW System.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 16.505 (4) (b) of the statutes is amended to read:

2 16.505 (4) (b) ~~Except as provided in par. (c), no~~ No agency may change the
3 funding source for a position authorized under this section unless the position is
4 authorized to be created under a different funding source in accordance with this
5 section.

6 **SECTION 2.** 16.505 (4) (c) of the statutes is repealed.

7 **SECTION 3.** 20.865 (intro.) of the statutes is amended to read:

8 **20.865 Program supplements.** (intro.) There is appropriated to the various
9 state agencies from the respective funds and accounts from which their
10 appropriations are financed, the amounts provided in this section as approved by the
11 department of administration under ss. 16.50 and 20.928, but only after the amounts
12 included in the respective program appropriations for the purposes specified in this
13 section have been exhausted. Every expenditure under this section for purposes
14 normally financed by a program revenue appropriation or segregated revenue
15 appropriation from program receipts shall be charged to the appropriate account, but
16 if there are insufficient moneys available in that account, the expenditure shall be
17 charged to the fund from which the appropriation is made. Those general fund
18 expenditures paid from general purpose revenues for purposes financed by program
19 revenues shall be separately accounted for and the general fund, except as otherwise
20 provided in sub. (2) (d), (j) and (t) ~~and s. 36.52~~, shall be reimbursed for those
21 expenditures as soon as moneys become available in the appropriate account.

1 **SECTION 4.** 20.865 (1) (c) of the statutes, as affected by 2011 Wisconsin Act 32,
2 is amended to read:

3 20.865 (1) (c) *Compensation and related adjustments.* A sum sufficient to
4 supplement the appropriations to state agencies for the cost of compensation and
5 related adjustments approved by the legislature under s. 111.92 for represented
6 employees and by the joint committee on employment relations under s. 230.12 and
7 by the legislature, when required, for nonrepresented employees in the classified
8 service and comparable adjustments for nonrepresented employees in the
9 unclassified service, except those nonrepresented employees specified in ss. 20.923
10 (6) (c) and 230.08 (2) (f), as determined under s. 20.928, ~~other than adjustments~~
11 ~~funded under par. (ej).~~ Unclassified employees included under s. 20.923 (2) need not
12 be paid comparable adjustments.

13 **SECTION 5.** 20.865 (1) (ci) of the statutes, as affected by 2011 Wisconsin Act 32,
14 is repealed.

 ***NOTE: This SECTION involves a change in an appropriation that must be
 reflected in the revised schedule in s. 20.005, stats.

15 **SECTION 6.** 20.865 (1) (cj) of the statutes is repealed.

 ***NOTE: This SECTION involves a change in an appropriation that must be
 reflected in the revised schedule in s. 20.005, stats.

16 **SECTION 7.** 20.865 (1) (i) of the statutes, as affected by 2011 Wisconsin Act 32,
17 is amended to read:

18 20.865 (1) (i) *Compensation and related adjustments; program revenues.* From
19 the appropriate program revenue and program revenue – service accounts, a sum
20 sufficient to supplement the appropriations to state agencies for the cost of
21 compensation and related adjustments approved by the legislature under s. 111.92
22 for represented employees and by the joint committee on employment relations

1 under s. 230.12 and the legislature, when required for nonrepresented employees in
2 the classified service and comparable adjustments for nonrepresented employees in
3 the unclassified service, except those nonrepresented employees specified in ss.
4 20.923 (6) (c) and 230.08 (2) (f), as determined under s. 20.928, ~~other than~~
5 ~~adjustments funded under par. (ej)~~. Unclassified employees included under s. 20.923
6 (2) need not be paid comparable adjustments.

7 **SECTION 8.** 20.865 (1) (ic) of the statutes, as affected by 2011 Wisconsin Act 32,
8 is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

9 **SECTION 9.** 20.865 (1) (si) of the statutes, as affected by 2011 Wisconsin Act 32,
10 is repealed.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

11 **SECTION 10.** 20.928 (1) of the statutes is amended to read:

12 20.928 (1) Each state agency head shall certify to the department of
13 administration, at such time and in such manner as the secretary of administration
14 prescribes, the sum of money needed by the state agency from the appropriations
15 under s. 20.865 (1) (c), ~~(ei)~~, ~~(ej)~~, (d), (i), ~~(ie)~~, (j), (s), ~~(si)~~, and (t). Upon receipt of the
16 certifications together with such additional information as the secretary of
17 administration prescribes, the secretary shall determine the amounts required from
18 the respective appropriations to supplement state agency budgets.

19 **SECTION 11.** 20.928 (1m) of the statutes is repealed.

20 **SECTION 12.** 20.928 (4) of the statutes is repealed.

21 **SECTION 13.** 36.09 (1) (e) of the statutes, as affected by 2011 Wisconsin Act 32,
22 is amended to read:

1 36.09 (1) (e) The board shall appoint a president of the system; a chancellor for
2 each institution; a dean for each college campus; the state geologist; the director of
3 the laboratory of hygiene; the director of the psychiatric institute; the state
4 cartographer; and the requisite number of officers, other than the vice presidents,
5 associate vice presidents, and assistant vice presidents of the system; faculty;
6 academic staff; and other employees and fix the salaries, subject to the limitations
7 under par. (j) and s. ~~230.12 (3) (e)~~ 36.115, the duties and the term of office for each.
8 The board shall fix the salaries, subject to the limitations under par. (j) and s. ~~230.12~~
9 ~~(3) (e)~~ 36.115, and the duties for each chancellor, vice president, associate vice
10 president, and assistant vice president of the system. No sectarian or partisan tests
11 or any tests based upon race, religion, national origin, or sex shall ever be allowed
12 or exercised in the appointment of the employees of the system.

13 **SECTION 14.** 36.09 (1) (j) of the statutes is amended to read:

14 36.09 (1) (j) Except where such matters are a subject of bargaining with a
15 certified representative of a collective bargaining unit under s. 111.91, the board
16 shall establish salaries for persons prior to July 1 of each year for the next fiscal year,
17 and shall designate the effective dates for payment of the new salaries. In the first
18 year of the biennium, payments of the salaries established for the preceding year
19 shall be continued until the biennial budget bill is enacted. If the budget is enacted
20 after July 1, payments shall be made following enactment of the budget to satisfy the
21 obligations incurred on the effective dates, as designated by the board, for the new
22 salaries, subject only to the appropriation of funds by the legislature and s. 20.928
23 (3). This paragraph does not limit the authority of the board to establish salaries for
24 new appointments. ~~The board may not increase the salaries of employees under this~~
25 ~~paragraph unless the salary increase conforms to the proposal as approved under s.~~

~~230.12 (3) (e) or the board authorizes the salary increase to correct salary inequities under par. (h), to fund job reclassifications or promotions, or to recognize competitive factors. The granting of salary increases to recognize competitive factors does not obligate inclusion of the annualized amount of the increases in the appropriations under s. 20.285 (1) for subsequent fiscal bienniums. No later than October 1 of each year, the board shall report to the joint committee on finance and the secretary of administration and director of the office of state employment relations concerning the amounts of any salary increases granted to recognize competitive factors, and the institutions at which they are granted, for the 12-month period ending on the preceding June 30.~~

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SECTION 20. 230.12 (3) (e) 1. of the statutes, as affected by 2011 Wisconsin Act 32, is repealed.

SECTION 21. 230.12 (3) (e) 2. of the statutes is renumbered 230.12 (3) (e).

(END)